

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 328 - SB 399

March 29, 2021

SUMMARY OF ORIGINAL BILL: Requires all law enforcement officers to undergo training on the proper testing procedures for investigating cases of suspected driving under the influence. Beginning January 1, 2022, requires training on suspected driving under the influence to be included in the annual in-service training for law enforcement officers certified by the Peace Officers Standards and Training (POST) Commission.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006132): Deletes all language after the enacting clause. Requires all law enforcement officers to undergo training on the proper testing procedures for investigating cases of suspected driving under the influence. Requires training on relevant updates and changes of laws relevant to driving under the influence to be included in the annual in-service training for law enforcement officers certified by the POST Commission. Effective January 1, 2022.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- According to the POST Commission, training for investigating cases of suspected driving under the influence is currently provided during basic recruit school.
- Pursuant to Tenn. Code Ann. § 38-8-111, all police officers are required to complete an in-service training course each calendar year appropriate to the officer's rank and responsibility at a school certified by the POST Commission of at least 40 hours.
- The POST Commission releases an annual memorandum to all law enforcement agency administrators detailing the mandatory topics that are required to be included in the 40-hour in-service training. Additional subjects outside of the mandated topics are at the discretion of the training agency.
- According to the POST Commission 2020 training course schedule, drunk driving and intoxicated driving are currently available as approved training courses.

- Any additional expenditures to local law enforcement agencies to include investigating suspected driving under the influence as a mandatory topic in annual training for officers is estimated to be minimal.
- This legislation will not result in a significant fiscal impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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